

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DANNY RAY BARRETT,  
ID # 37245-177,

Movant,

vs.

UNITED STATES OF AMERICA,  
Respondent.

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No. 3:07-CR-0358-B (01)


**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the defendant's motions to reduce his sentence pursuant to Rule 35 of the Federal Rules of Criminal Procedure are **DISMISSED** for lack of jurisdiction.

In the event that the defendant files a notice of appeal, he must pay the \$455.00 appellate filing fee or submit a motion to proceed *in forma pauperis* that is accompanied by a properly signed certificate of inmate trust account.

SIGNED this 25<sup>th</sup> day of January, 2013.



JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE